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July 7, 2105

**VIA E-FILING**

Honorable Judith C. McCarthy  
United States District Court  
For the Southern District of  
New York  
Court Room 421  
300 Quarropas Street  
White Plains, New York 10601

Re: Mahar v. Quality Bus and Railo  
7:14-CV-03586-JCM

Dear Judge McCarthy:

I have just received from plaintiff's counsel the records they received under subpoena from the Orange County Department of Mental Health. Despite the fact that the subpoena was specifically limited to the timeframe of January 1, 2012 to February 14, 2013, the records are much broader than that. The records cover January of 2012 through March 20, 2014.

As such, I submit that all records after February 14, 2013 (the day of plaintiff's accident) should never have been produced, but unfortunately they are now in the hands of both the plaintiff and the co-defendant. As such I respectfully request an order from this Court directing both plaintiff and co-defendant to immediately destroy the records after 2/14/13 and that the Court further order and direct that any attempt to use directly or indirectly any of those improperly obtained records by both plaintiff and co-defendant is forbidden, and any attempted use of said records directly or indirectly in the course of this litigation will be deemed inadmissible.

Thank you for your time and consideration.

Very truly yours,

LaROSE & LaROSE

  
Keith V. LaRose

KVL/eas

Cc: Cognetti & Cimini

Maynard, O'Connor, Smith & Catalinotto, Esqs.